

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ADAM BRIGGS, PAULA BRIGGS,  
his wife, JOSHUA BRIGGS, and  
SARAH BRIGGS,

Plaintiffs

v.

SOUTHWESTERN ENERGY  
PRODUCTION COMPANY, a/k/a SWN  
PRODUCTION COMPANY, LLC,

Defendant.

3:21-CV-520

(JUDGE MARIANI)

(Magistrate Judge Carlson)

ORDER

AND NOW, THIS 16<sup>th</sup> DAY OF AUGUST, 2023, upon *de novo* review of  
Magistrate Judge Martin Carlson's Report and Recommendation ("R&R") (Doc. 14), Plaintiffs'  
objections thereto (Doc. 15), and all relevant briefs, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 14) is **ADOPTED AS MODIFIED** for the reasons stated in the accompanying Memorandum Opinion.
2. Plaintiffs' Objections (Doc. 15) are **OVERRULED**.
3. Defendant's Motion to Dismiss (Doc. 2) is **GRANTED**. Plaintiffs' Complaint (Doc. 1-2) is **DISMISSED WITHOUT PREJUDICE**.
4. Plaintiffs are granted leave to amend their Complaint to assert claims alleged to have arisen after the time period encompassed within *Briggs I*. Plaintiffs may file an Amended Complaint within **21 days** of the date of this Order.